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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/669,258

09/25/2003

Robert O. Williams

10071-037-999

3229

20582

7590

01/25/2010

JONES DAY

222 East 41st Street

New York, NY 10017-6702

EXAMINER

ROYDS, LESLIE A

ART UNIT

PAPER NUMBER

1614

MAIL DATE

DELIVERY MODE

01/25/2010

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

**UNITED STATES DEPARTMENT OF COMMERCE****U.S. Patent and Trademark Office**

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APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
10/669,258	9/25/2003	WILLIAMS ET AL.	10071-037-999

JONES DAY  
222 East 41st Street  
New York, NY 10017-6702

**EXAMINER**

Leslie A. Royds

ART UNIT	PAPER
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1614	20100119
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DATE MAILED:

**Please find below and/or attached an Office communication concerning this application or proceeding.**

**Commissioner for Patents**

**NOTICE OF NON-RESPONSIVE AMENDMENT**

Applicant's amendments and remarks filed September 30, 2009 have been received and entered into the present application. However, Applicant's amendments to the claims fail to comply with the requirements of 37 C.F.R. 1.121[c].

37 C.F.R. 1.121[c] states: "Amendments to a claim must be made by rewriting the entire claim with all changes (e.g., additions and deletions) as indicated in this subsection, except when the claim is being canceled. Each amendment document that includes a change to an existing claim, cancellation of an existing claim or addition of a new claim, must include a complete listing of all claims ever presented, including the text of all pending and withdrawn claims, in the application. The claim listing, including the text of the claims, in the amendment document will serve to replace all prior versions of the claims, in the application. In the claim listing, the status of every claim must be indicated after its claim number by using one of the following identifiers in a parenthetical expression: (Original), (Currently amended), (Canceled), (Withdrawn), (Previously presented), (New), and (Not entered)."

Applicant indicates that instant claims 1-23, 28 and 40-57 are "Withdrawn", but fails to present the text of each of these withdrawn claims in the claim listing filed September 30, 2009. Pursuant to the requirements of 37 C.F.R. 1.121[c], Applicant is required to include the text of all pending and withdrawn claims in the application. Applicant's failure to do so in the listing filed September 30, 2009 is non-compliant with the requirements of 37 C.F.R. 1.121[c]. In addition, such a failure to present the text of these claims further complicates the situation because it is unclear if this is actually intended to be a cancellation of such claims.

Accordingly, Applicant is required, in reply to this notice, to submit a clear and complete listing of all claims ever presented and to rectify the issue(s) noted supra with regard to the claims that are apparently withdrawn from consideration. Failure to comply with the instant instructions will again render the reply NON-COMPLIANT.

Since the above-mentioned response appears to be a bona fide attempt to reply, Applicant is given a TIME PERIOD of ONE (1) MONTH or THIRTY (30) DAYS, whichever is longer, from the mailing date of this notice within which to supply the omission or correction, as well as a proper response to the previous Office Action, in order to avoid abandonment. Extensions of this time period under 37 C.F.R. 1.136(a) are available.

Any inquiry concerning this communication or earlier communications from the Examiner should be directed to Leslie A. Royds, whose telephone number is (571)-272-6096. The Examiner can normally be reached Monday through Friday, 9:00 AM to 5:30 PM. If attempts to reach the Examiner by telephone are unsuccessful, the Examiner's supervisor, Ardin H. Marschel, can be reached on (571)-272-0718. The fax phone number for the organization where this application or proceeding is assigned is (571)-273-8300.

